

**Economic Development,
Agriculture & Trade Committee**

SB 6861

Brief Description: Requiring a study of competing interests of domestic water users.

Sponsors: Senators Delvin, Poulsen, Mulliken, Morton and Honeyford.

Brief Summary of Bill

- Requires the Department of Ecology to study and report on ways that stakeholders can better understand the competing interests of surface water users in basins currently involved in a water rights adjudication when water supplies are limited by a court order that curtails domestic water right use.

Hearing Date: 2/22/06

Staff: Jason Callahan (786-7117).

Background:

A general water adjudication proceeding for surface water rights has been underway in the Yakima River watershed since the late 1970s. In this adjudication, the Superior Court for Yakima County entered an order on June 10, 2004, limiting the exercise of water rights in the Yakima River and its tributaries by those with a priority date after May 10, 1905 (post-1905). The restrictions imposed by the Court suspends the use of post-1905 rights when the U.S. Bureau of Reclamation imposes rationing for the Yakima irrigation project. The restriction imposed by the Court continues until the end of the irrigation season on October 31.

On March 10, 2005, the Governor declared a statewide drought emergency that authorized the Department of Ecology (Department) to access emergency drought resources. As part of the drought response, the Department filed a motion with the Superior Court to place 60 acre-feet of water into the State's Trust Water Program to offset post-1905 limited domestic water use. The Court approved the transfer for the 2005 season.

Summary of Bill:

The Department is required to study and report on ways that stakeholders can better understand the competing interests of surface water users in basins currently involved in a water rights adjudication when water supplies are limited by a court order that curtails domestic water right use. In the study, the Department must focus on seasonal residential water users, and must

summarize the circumstances that have contributed to the competition between the various water users and recommend suggested legislation or other solutions for resolving conflicts over water supplies.

The study must also survey the owners of residences that rely on domestic water supplies. In conducting the survey component of the study, the Department must make a reasonable attempt to contact all property owners and obtain information on the location and amount of use for seasonal residences, the amount of water needed when a seasonal residence is occupied, the location of the owner's permanent address, and any other relevant information deemed necessary by the Department.

The report is due to the appropriate committees of the Legislature by December 31, 2006.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.